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C O N F I D E N T I A L SECTION 01 OF 02 MANILA 001538

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DEPT FOR EAP, EAP/MTS, INR/EAP

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TAGS: [PGOV](#) [PINS](#) [RP](#)

SUBJECT: PROPONENTS PRESS FORWARD ON CONSTITUTIONAL CHANGE

REF: A. MANILA 641

[1](#)B. MANILA 242

[1](#)C. 05 MANILA 5965

[1](#)D. 05 MANILA 4140

Classified By: Pol/C Scott Bellard for reasons 1.4 (b) and (d).

[1](#)1. (C) Summary: Pro-Administration groups are collecting signatures for a "People's Initiative" (referendum) on Constitutional changes that would create a parliament with an executive prime minister. If plans move forward, the referendum might take place later this year. President Arroyo and Speaker De Venecia are strongly backing the effort, which the Opposition challenges. There are questions as to the funding for the review the signatures and holding of a referendum. The Supreme Court is likely to have to weigh in on the legality of the procedure. Public interest remains apparently low, despite the claimed signatures, although the President's unpopularity may make any change appear desirable to many. End Summary.

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Collecting Signatures  
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[1](#)2. (U) On March 25, an umbrella organization of proponents of Constitutional change (also known as "Charter Change") began a national signature campaign calling for a "People's Initiative" to amend the Philippine Constitution. The key provision of the amendments would be to shift from the current bicameral system with an executive president to a unicameral parliamentary system with an executive prime minister by 2010. Proponents of the referendum predict they will succeed in collecting the requisite signatures -- 12 percent of all registered voters nationwide (approximately 5 million people) and at least three percent of eligible voters in every congressional district -- within the next few weeks. The Department of Interior and Local Government (DILG) has directed local government officials to assist in the signature collection process.

[1](#)3. (C) During an April 5 meeting, Commission on Elections (COMELEC) Commissioner Resurreccion "Rex" Borra told poloff that his organization had ordered its local registrars to review fully all signatures gathered via the effort. He said he expected COMELEC to finish verifying signatures within 15 to 30 days after completion of the effort, after which proponents would likely file a formal petition with COMELEC asking it to move forward with a referendum on the proposed amendments. According to Philippine law, this referendum should be held 45 - 90 days after certification of sufficient signatures.

14. (SBU) President Arroyo is strongly backing the effort to hold a national referendum. In a March 30 speech, she said the signature campaign on the proposed Constitutional amendments demonstrates the "true power of the people in a democracy to change their system of government." Press Secretary Ignacio Bunye praised the signature campaign as the

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best way of pursuing Constitutional change, saying it is time to "take the debate down to the grassroots and discover the people's genuine sentiments." House Speaker Jose De Venecia, a strong supporter of shifting to a parliamentary system and the whole referendum effort, has boldly predicted that a referendum could be held as early as June, with a new Parliament -- composed of current members of the House and Senate -- installed by July of this year (ref A). In an April 4 conversation with Pol/C, Raul Lambino, an attorney who is working with Malacanang to lead the referendum drive, said that De Venecia's timetable clearly was overly optimistic, but that "success" was possible by November or December 2006. He acknowledged that moving forward on the people's initiative implicitly indicated the unlikelihood of a successful constituent assembly to amend the Constitution.

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Questions about Legality, Funding  
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15. (U) The Opposition has challenged the legality of the "People's Initiative" effort. Critics cite a 1997 Supreme Court ruling that found the "People's Initiative" mechanism to be inadequate as a means of amending the Constitution in

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the absence of passage by Congress of special "enabling" legislation to call a national referendum to amend the Constitution. In an April 5 conversation with Deputy Pol/C, Opposition Congressman Ronnie Zamora asserted that this "lack of implementing legislation would doom" the whole effort, adding that the Opposition planned to bring a case before the Supreme Court at "the earliest possible opportunity."

16. (C) Funding has also been a question mark. In comments he also made in recent testimony to the Senate, Commissioner Borra said that COMELEC planned to continue to certify the ongoing signature drive and that it had the manpower to oversee a national referendum should the initiative move forward. Borra admitted, however, that COMELEC did not have sufficient funds to hold a national plebiscite at this time. The House version of the 2006 GRP budget, which increases COMELEC's budget from 1.3 billion pesos (USD 26 million) to 3.2 billion pesos (USD 64 million), remains stalled in the Senate. According to Commissioner Borra, a referendum would cost an estimated two billion pesos, or USD 40 million to implement.

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Comment  
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17. (C) With the Supreme Court almost certain to get involved in blessing (as many expect it eventually will, despite its own precedent) the people's initiative and plebiscite model, Constitutional changes still remain far on the horizon. Despite the reported success of the signature campaign (along with many allegations of bribery and/or local level peer pressure by "barangay" officials), there are few indications of genuine public interest in or support for amending the Constitution, and even less clear understanding of the political virtues of a unicameral parliamentary model. The President's widespread and apparently growing unpopularity

may nonetheless make the prospect of any change more desirable.

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Kenney